

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

MITSUBISHI DIGITAL
ELECTRONICS AMERICA, INC.,

Appellant,

v.

Civil Action No. 3:10cv202

CIRCUIT CITY STORES, INC.,

Appellee.

ORDER

Having reviewed the CONSENT MOTION FOR ORDER DISMISSING APPEAL WITH PREJUDICE (Docket No. 46) and the Notice of Proposed Settlement Agreement and Stipulation by and Among the Debtors and Apex Digital, Inc. and Hain Capital Holdings, LLC (Bankr. Ct. Docket No. 7365) and this Court observing that the Appellant, Apex Digital, Inc., consents to the dismissal of this appeal with prejudice, it is hereby ORDERED that the CONSENT MOTION FOR ORDER DISMISSAL APPEAL WITH PREJUDICE (Docket No. 46) is granted. It is further ORDERED that the appeal proceedings against Appellant, Apex Digital, Inc., is dismissed with prejudice.

It is so ORDERED.



/s/
Senior United States District Judge

Richmond, Virginia
Date: June 4, 2010

(100CV202)